

ORDINANCE NO. 20091001-002

AN ORDINANCE LEVYING MUNICIPAL PROPERTY (AD VALOREM) TAXES FOR THE CITY OF AUSTIN, TEXAS, FOR FISCAL YEAR 2009-2010.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The City Council levies, approves, and orders to be assessed and collected for the Fiscal Year 2009-2010, and for each subsequent calendar year until otherwise ordained, on all property in the limits of the City of Austin that is not exempt from taxation, a property (ad valorem) tax at the rate of \$0.4209 per \$100 of taxable value. The tax rate consists of two components each of which are separately approved by Council: \$0.1259 per \$100 of taxable value, the rate that, if applied to the total taxable value, will impose the total amount published under Section 26.04(e)(3)(C) of the Property Tax Code, less any amount of additional sales and use tax revenue that will be used to pay debt service; and \$0.2950 per \$100 of taxable value, the rate that, if applied to the total taxable value, will impose the amount of taxes needed to fund maintenance and operation expenditures of the City for the coming year.

PART 2. The Council adopts the following property tax exemptions as further described in Attachment "A":

Agriculture

Disabled Veterans

Straight Disability Local Option

Elderly Homestead

Historic

PART 3. THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

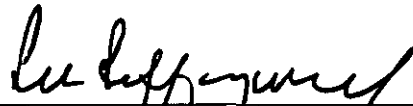
PART 4. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 8.0 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$22.00.

PART 5. The Council finds that the need to appropriately assess and collect taxes to fund the operations of the City constitutes an emergency. Because of this emergency, this ordinance takes effect immediately on its passage for the immediate preservation of the public peace, health and safety.

PASSED AND APPROVED

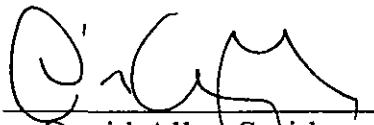
_____, October 1, 2009

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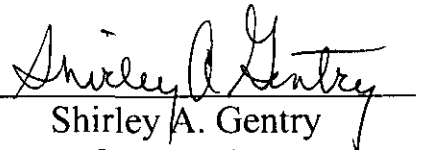
Lee Leffingwell
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk

ATTACHMENT "A"

AUSTIN PROPERTY TAX EXEMPTIONS

AGRICULTURE = Variable per acre of farmland / tax exempt

Agriculture - Confirmed agricultural property is taxed on the basis of a special valuation of the use (productivity) of the land. The area location (school district) and agricultural classification (dry crop, improved pasture or native pasture) determines the taxable value per acre of land.

DISABLED VETERANS = \$5,000 TO \$12,000

Disabled veterans exemptions range from \$5,000 to \$12,000 based on the following schedule:

% Disability	Exemption
10-30	\$5,000
31-50	\$7,500
51-70	\$10,000
71-100	\$12,000

STRAIGHT DISABILITY LOCAL OPTION = \$51,000

Disabled persons (unable to hold a job) on social security of forced retirement receive a \$51,000 tax exemption.

ELDERLY HOMESTEAD = \$51,000

Persons 65 years and older can apply for a \$51,000 tax exemption on their home.

HISTORIC HOMESTEAD

(A) Except as provided in Subsection (B) Below, for a property designated as a historic landmark before December 1, 2004 the following percentage of the

assessed value of a property designated "H" Historic and approved for tax exemption shall be exempt from ad valorem taxes levied by the City:

- (1) 100 percent of the assessed value of the historic structure and 50 percent of the assessed value of the portion of the land the chief appraiser for the county appraisal district determines is reasonably necessary for access to and use of the historic structure for:
 - (a) an owner-occupied historic residential property that is not fully or partially leased to another person; and
 - (b) a property owned by a nonprofit corporation, as defined in the Texas Nonprofit Corporation Act; and
- (2) 50 percent of the assessed value of the historic structure and 25 percent of the assessed value of the portion of the land the chief appraiser for the county appraisal district determines is reasonably necessary for access to and use of the historic structure for any other historic property, including property used for a commercial purpose.

An exemption under Subparagraph (1)(a) above may not exceed the greater of \$2,000 or 50 percent of the ad valorem tax that the City would otherwise levy on the property.

(B) This subsection applies to a property designated as a historic landmark before December 1, 2004 that changed ownership after November 30, 2004, or designated as a historic landmark after November 30, 2004.

- (1) The following percentage of the assessed value of a property designated "H" Historic and approved for tax exemption shall be exempt from ad valorem taxes levied by the city.
 - (a) subject to the limitation of Paragraph (2), 100 percent of the assessed value of the historic structure and 50 percent of the assessed value of the portion of the land the chief appraiser for the county appraisal district determines is reasonably necessary for access to and use of the historic structure for
 - (i) an owner-occupied historic residential property that is not fully or partially leased to another person; and a property owned by a

nonprofit corporation, as defined in the Texas Nonprofit Corporation Act; and

- (b) 50 percent of the assessed value of the historic structure and 25 percent of the assessed value of the portion of the land the chief appraiser for the county appraisal district determines is reasonably necessary for access to and use of the historic structure for any other historic property, including property used for a commercial purpose.

For purposes of subsections (A)(2) and (B)(1)(b) above, the City Council recommends to the Chief Appraiser of each appraisal district, that 100% of each property designated "H" historic is reasonably necessary for access to and use of the structure.